



## TOWN OF BREWSTER

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OFFICE OF  
HEALTH DEPARTMENT

### BREWSTER BOARD OF HEALTH ANIMAL REGULATIONS

In accordance with the Massachusetts General Laws, Chapter 111, Section 31, the Brewster Board of Health has adopted these regulations for Animals on November 17, 1992. This will supersede Farm Animal Regulations adopted on February 12, 1987.

#### PART I

##### DEFINITIONS

1. Farm Animal: To include any sheep, goat, swine, bovine or equine, of any quantity, sex and/or age.
2. Poultry: To include domestic fowl such as chickens, turkeys, ducks and geese.
3. Barn: Any building or structure where a farm animal is sheltered or maintained, or a portion of a building used for this purpose.
4. Stable: Any structure used to house equines.
5. Enclosure: To include any fencing, corral, paddock area, pen, or the like used to contain farm animals or poultry.
6. Coop: To include any building or structure, or portion of a building, used to keep poultry.
7. Wetland: As defined in the Brewster Wetland Protection Regulations.

#### PART II

##### REGULATIONS

Location: All barns, enclosures and coops used for the keeping of farm animals and poultry shall be located according to the following table:

##### MINIMUM DISTANCES

	<u>BARNs</u>	<u>ENCLOSURE/CCOPS</u>
Abutter's Property Line	50 FT	25 FT
Private well used for potable water	100 FT	100 FT
Town water supply	400 FT	400 FT
Abutter's Dwelling	100 FT	-----
Wetland	100 FT	100 FT

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#### CONSTRUCTION:

- A. Barns shall be of durable construction so as to protect the structure from deterioration or damage by rodents, termites and dampness, and shall comply with the State Building Code.
- B. The flooring in all barns shall be approved by the Board of Health, shall be of such construction to support the intended loading, and shall be maintained in such a manner as to provide a clean and dry area. The Board of Health recommends two (2) inch thick planking specifically to allow for proper drainage, with sand not less than one (1) inch beneath it. If only a sand floor is utilized, the sand **MUST BE CLEANED** or changed at least once a week.
- C. All barns shall be provided with adequate light and ventilation.
- D. All barns shall have an adequate water supply for watering the animals, for fire control and for cleaning the premises.
- E. Housing- every equine shall have shelter facilities and no equine shall be allowed to remain Out-of-doors all of the time without having access to proper shelter.

#### FEED ROOM:

The owner shall provide for vermin-proof and insect free storage for grain and shall provide refrigeration facilities for the keeping of so called fresh animal food (edible meat, fish and poultry).

#### DRAINAGE AND WASTE DISPOSAL:

- A. All drainage and animal wastes shall be disposed of in a sanitary manner and as approved by the Board of Health.
- B. Manure shall be removed from the barn at least daily and shall be disposed of in a sanitary manner. No manure or used bedding shall be permitted to remain outside the barn unless collected in compost piles.
- C. If uneaten feed, manure and refuse are collected in compost piles, they shall be treated or covered with earth loam or other suitable material in sufficient amounts to eliminate any odor or nuisance, and may not be put upon the ground within 100 feet of a wetland or a private well used for potable water and not less than 400 feet from a Town well.

#### OPEN SHEDS:

Each open shed shall be a three sided, roofed structure in accordance with State guidelines.

#### WATER TROUGH:

A drinking water supply shall be provided in the enclosure area for the animals

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PADDOCK AND PENS:

- A. All paddocks/pens shall be enclosed by fencing of sufficient strength to restrain the animals. Animals shall be restrained at all times.
- B. All paddocks/pens shall be graded and drained to prevent standing pools of water.

DISPOSAL OF DEAD ANIMALS:

All dead animals shall be disposed of in a manner and location approved by the Board of Health or Animal Inspector.

PART III

PERMITS:

No person shall keep or maintain in Brewster, for any purpose a stable, barn, enclosure or coop without prior approval of the Board of Health. The applicant is responsible for obtaining the necessary Zoning By-Law approvals prior to seeking Board of Health approval.

The fee for a permit shall be \$25.00 per year or \$35.00 per year if over 10 livestock, expiring on December 31<sup>st</sup>.

Those persons keeping farm animals/poultry prior to the effective date of these regulations may continue to do so provided that:

- 1. The farm animals and poultry are registered with the Board of Health
- 2. Variances that have been applied for have been granted

REGISTRATIONS:

All farm animals and poultry shall be registered with the Board of Health. The total number of animals on the property shall not exceed the total indicated on the permit. Proof shall be provided that all horses have been vaccinated annually, against Tetanus and Eastern Encephalitis. All commercial stables are subject to the rules and regulations of Chapter 128, Section 2B of the Massachusetts General Laws.

EXEMPTIONS:

Ten (10) or fewer domestic fowl are exempt from the permit process. Roosters will not be exempt.

INSPECTION:

Inspection will be conducted and shall be expected during reasonable hours, by the Board of Health, Health Agent or Animal Inspector: Failure to correct cited deficiencies may lead to a revocation of the Board of Health permit.

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VARIANCES:

Upon written request, the Board of Health may vary the application of these regulations if it finds that these regulations would cause undue hardship to the applicant and that the granting of a variance would not be detrimental to the public health. No variances shall be granted except after the applicant has notified all abutters by certified mail at his/her own expense at least ten (10) days before the Board of Health meeting at which the variance request will be sought and the reason therefore. All variances shall be in writing and shall be subjected to such conditions as the Board of Health may deem necessary.

SEVERABILITY CLAUSE:

Whenever possible, these regulations shall be deemed to be supplementary to (not contradictory with) state and federal statutes and regulations.

In the event any of these regulations shall be held invalid, any such regulation or regulations shall be deemed to be severed from the others and struck from these rules, but the remaining regulations shall continue in full force and effect.

Whoever personally or by his or her servant or agent of any firm or corporation violates these rules and regulations shall be punished by a fine of not more than two hundred dollars (\$200.00) per day for each such violation.

Adopted: 8/4/77; Amended: 10/7/81; 3/3/82; 6/1/83; 12/10/85; 2/12/87;  
11/17/92; Effective: 11/27/92; Amended: 2/15/2011

Board  
Of  
Health

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Colette Williams, Town Clerk